

<b>NEVADA DEPARTMENT OF CORRECTIONS</b>	<b>SERIES 300 PERSONNEL</b>	<b>SUPERSEDES: AR 355 (09/01/83) IB 94-25 (03/11/94)</b>
<b>ADMINISTRATIVE REGULATIONS MANUAL</b>	<b>ADMINISTRATIVE REGULATION 355 EMPLOYEE SECONDARY EMPLOYMENT TEMP</b>	<b>EFFECTIVE DATE: 04/24/03</b>

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### **PURPOSE**

To establish requirements and procedures for employees to participate in secondary employment.

To specify activities that are inconsistent, incompatible or in conflict with the duties of a Department employee.

### **AUTHORITY**

NAC 284.738  
NAC 284.746  
NAC 284.754  
NAC 284.766

### **RESPONSIBILITY**

It is the responsibility of all employees to devote their full time, attention, and efforts to State employment during their assigned hours of duty.

It is the responsibility of each Supervisor, Warden and/or Division Head to ensure that all employees follow the provisions of this regulation in requesting and engaging in secondary employment.

## **DEFINITIONS**

**APPOINTING AUTHORITIES** – Individuals to whom the Director has delegated authority to recommend and implement personnel actions. Appointing authorities may include: Assistant Directors, Medical Director, Wardens, and Administrator Mental Health and Program Services.

**DEPARTMENT** – The Nevada Department of Corrections.

**DEPARTMENT PERSONNEL DIVISION** – The Personnel Division within the Nevada Department of Corrections.

**DIRECTOR** – The Director of the Nevada Department of Corrections.

**DIVISION HEAD** – Those individuals responsible for the major divisions of the Department, such as Personnel; EEO and Professional Development; Inmate Services; Fiscal; Inspector General; Procurement; Accounting; Offender Management; Stores; and Medical.

**EMPLOYEE** – A person legally holding a position with the Department in the public service as defined in NRS 284.015.

**OFFICIAL DEPARTMENT PERSONNEL RECORD** – The Personnel file located in the Department Personnel Division in Carson City, for current and former employees.

**SECONDARY EMPLOYMENT** – Any activity off duty including self-employment and volunteer service, excluding those activities that are essentially social or recreational, and military duty.

**WARDEN** – The administrative officer in charge of an institution of the Department.

## **APPLICABILITY**

This administrative regulation applies to all employees of the Department.

## **PROCEDURES**

### **355.01 EMPLOYMENT AND ACTIVITIES PROHIBITED**

1.1 Employees will not engage in any off duty employment, activity or enterprise that has been determined to be inconsistent, incompatible, or in conflict with their duties as employees of the Department.

1.1.1 The Department shall determine and describe those specific activities which are considered inconsistent, incompatible, or in conflict with their duties as an employee of the Department.

1.2 It is not the intent of the Department to discourage secondary employment.

1.3 The following types of employment activity are examples of those considered to be inconsistent, incompatible or in conflict with the policies and regulations of the Department and are therefore prohibited.

1.3.1 Employment in any business or activity for personal gain or profit which takes advantage of the employee's position with the Department.

1.3.2 Employment that would cause the employee to violate any of the provision contained in NAC 284.650.

1.3.3 Employment or participation in any activity of an illegal nature.

1.3.4 Employment or participation in any activity that will prevent the employee from returning to their institutional assignment in the event of a recall. This would apply to employees in the security and medical divisions.

1.3.5 Any employment or other activity that will prevent the employee from performing their duties in an efficient and capable manner or that would tend to bring discredit upon the Department.

1.3.6 Employment in any type of other correctional agency.

1.3.7 Employment within organizations, which deal with at-risk youth or adults.

1.3.8 Employment related to adult entertainment.

1.3.9 Employment in a business where it is expected that there would be routine contact with offender's family members, or ex-offenders.

1.3.10 Serving either as an officer, member of the Board of Directors or in any capacity for any corporation, company, association, partnership, or private business which transacts business with the State for profit when such employee holds a State position of review or control even though remote over such business transactions.

1.3.11 Involvement in any employment, enterprise or activity that results in the receiving or accepting of money or other considerations from anyone other than the State for performance of an act which the employment would be required or expected to render in the regular course of employment or as part of the duties as a State employee.

1.3.12 Any employment which would utilize inmate labor or participation.

1.4 This list is not all-inclusive and the Director may determine that other secondary employment is not permissible.

1.5 No employee may wear a Department uniform to work on another job.

1.6 The employee must inform their secondary employer that their primary responsibility is to the Department.

1.7 Should secondary employment job duties change or end it is the employee's responsibility to notify the Department.

1.8 The Department reserves the right to revoke previously approved requests at any time.

### **355.02 PROCESS FOR PARTICIPATION IN SECONDARY EMPLOYMENT**

1.1 An employee contemplating secondary employment or activities, or a newly-hired employee already engaged in such employment will promptly submit, a Request for Secondary Employment Form (DOC-1014). The request will be sufficiently detailed to allow for a determination regarding the propriety of the employment.

1.1.1 Secondary Employment Requests must be submitted through the employee's Chain of Command.

1.1.2 Secondary Employment requests will then be submitted to the Department Personnel Division for the purposes of tracking the request and forwarding for final approval/denial of the Director or designee.

1.1.3 The Director or designee shall have final approval/denial.

- This decision is not subject to appeal.

1.2 Once a determination has been made, the Director or designee will return the request to the Department Personnel Division.

1.2.1 The Department Personnel Division shall:

- Log the request and disposition;
- Place the request in the Official Department Personnel Record;
- Forward a copy to the Warden or Division Head; and
- Forward a copy to the employee.

1.3 Employment shall not commence until final approval is received from the appointing authority.

1.3.1 The Department reserves the right to cancel approved secondary employment at any time.

- This action should be detailed in correspondence to the employee.

## REFERENCES

None

## ATTACHMENTS

Secondary Employment Request (DOC-1014)

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Jackie Crawford, Director

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Date

**CONFIDENTIAL**

        
Yes

XX  
No

**THIS PROCEDURE SUPERSEDES ALL PRIOR WRITTEN PROCEDURES ON THIS SPECIFIC SUBJECT.**